

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

SUMMER INFANT (USA), INC.,)	
)	C.A. No. 17-cv-549
Plaintiff/Counter-Defendant,)	
v.)	District Judge Mary S. McElroy
)	
TOMY INTERNATIONAL, INC.,)	Magistrate Judge Patricia A. Sullivan
)	
Defendant/Counterclaimant.)	

DECLARATION OF JOSEPH KUO

I, Joseph Kuo, declare under penalty of perjury that the following is true and correct to the best of my knowledge.

1. I am a partner at Saul Ewing Arnstein & Lehr, LLP, and am counsel for Defendant/Counterclaimant, TOMY International, Inc. in this litigation.
2. The documents provided at Exhibit A hereto are true and correct copies of documents showing ownership of the '209 Patent.
3. The document provided at Exhibit B hereto is a true and correct copy of U.S. Patent No. 6,578,209.
4. The document provided at Exhibit C hereto is a true and correct copy of deposition transcript excerpts for Jennifer Gomes.
5. The document provided at Exhibit D hereto are true and correct copies of deposition transcript excerpts for Rodney Voss.
6. The document provided at Exhibit E hereto are true and correct copies of deposition transcript excerpts for Michael Fusco.
7. The document provided at Exhibit F hereto are true and correct copies of deposition transcript excerpts for Mark Sousa.

8. The document provided at Exhibit G hereto are true and correct copies of deposition transcript excerpts for John Harding.

9. The document provided at Exhibit H hereto are true and correct copies of deposition transcript excerpts for Anthony Carbone.

10. The document provided at Exhibit I hereto are true and correct copies of deposition transcript excerpts for Eric Hauser.

11. The document provided at Exhibit J hereto are true and correct copies of deposition transcript excerpts for Luke Roberts.

12. The document provided at Exhibit K hereto is a true and correct copy of excerpts of Summer Infant's Response to TOMY first set of interrogatories.

13. The document provided at Exhibit L hereto is a true and correct copy of excerpts of Summer Infant's Second Supplemental Response to TOMY first set of interrogatories.

14. The document provided at Exhibit M hereto is a true and correct copy of Summer Infant's Fourth Response to TOMY first set of interrogatories.

15. The documents provided at Exhibit N hereto are true and correct copies of documents produced by Summer Infant.

16. The document provided at Exhibit O hereto is a true and correct copy of excerpts of the expert report of Joseph Gordon.

17. The document provided at Exhibit P hereto is a true and correct copy of excerpts of the deposition transcript of Joseph Gordon.

18. The documents provided at Exhibit Q hereto are true and correct copies of photographs of Accused Tub.

19. The documents provided at Exhibit R hereto are true and correct copies of photographs of the TOMY Tub.

20. The documents provided at Exhibit S hereto are true and correct copies of photographs of Summer Infant's H12 and H13 Tubs.

21. The document provided at Exhibit T hereto is a true and correct copy of Summer Infant's responses to TOMY's requests for admission.

22. The document provided at Exhibit U hereto is a true and correct copy of excerpts from the deposition of Charles Mauro.

23. Pursuant to the scheduling order by this court, the due date for expert reports on issues for which a party bore the burden of proof was July 29, 2020, but SI did not serve TOMY with any expert report on invalidity on July 29, 2020 or at any other time.

I declare under penalty of perjury that the foregoing statements are, to the best of my knowledge and belief, true and correct.

Date: February 22, 2021

/s/ Joseph M. Kuo
Joseph M. Kuo